

REMARKS

Claims 1-60 were pending in this application at the time the present Office Action was mailed. Claims 1, 15, 20, 26, 40, 46, and 57 have been amended to clarify certain aspects of these claims. Based on the foregoing, claims 1-60 remain pending in the application.

In the non-final Office Action mailed September 15, 2005, claims 1-60 were rejected. More specifically, the status of the application in light of the September 15th Office Action is as follows:

(A) Claim 20 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention;

(B) Claims 15 and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,734,419 to Glenn et al. ("Glenn '419");

(C) Claims 1, 2, 4, 9, 10, 11, 13, 14, 26, 27, 29, 34-36, 38-41, 43, 46, 47, 49, 53, 55, and 57-59 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,143,588 to Glenn ("Glenn '588");

(D) Claims 15 and 23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,825,458 to Moess et al. ("Moess");

(E) Claims 15 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,759,266 to Hoffman ("Hoffman");

(F) Claims 1, 3, 7, 8, 19, 26, 28, 32, 33, 48, 52, 54, and 56 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Glenn '419;

(G) Claims 1, 5, 26, 30, 46, and 50 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hoffman;

(H) Claims 15-17, 21, 22, 24, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Glenn '588;

(I) Claims 1 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moess;

(J) Claim 37 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Glenn '588 in view of Moess;

(K) Claims 40, 42, 44, 45, and 60 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Glenn '419 in view of Glenn '588; and

(L) Claims 6, 31, and 51 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Glenn '419 in view of U.S. Patent No. 6,541,762 to Kang et al. ("Kang").

The undersigned attorney wishes to thank the Examiner for engaging in a telephone conference on December 8, 2005 to discuss the present Office Action, the applied references (Glenn '419, Glenn '588, Moess, and Hoffman), and the pending claims. The following remarks summarize and expand upon the results of the December 8th telephone conference, and they also reflect the agreements reached between the undersigned attorney and the Examiner during the telephone conference. For example, the following remarks reflect the Examiner's acknowledgement that independent claims 1, 15, 26, 40, 46, and 57, which have been amended to clarify that the window and the side member of the cover unit are formed from generally the same material, are patentable over the Glenn '419, Glenn '588, Moess, and Hoffman references. The applicants respectfully request the withdrawal of the Section 102 and Section 103 rejections of these claims.

A. Response to the Section 112 Rejection of Claim 20

Claim 20 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the applicant regards as the invention. More specifically, the Office Action asserts that the optic member of claim 20 "cannot be integral to both the window and the side member if [the] window and side member are separate parts." (Office Action, p. 2.)

Claim 20 has been amended to clarify that the optic member is integral with the window. Accordingly, the Section 112 rejection of claim 20 should be withdrawn.

B. Response to the Section 102(b) Rejection of Claims 15 and 20 (Glenn '419)

Claims 15 and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Glenn '419. As discussed above, claim 15 has been amended in conformance with the agreement reached between the undersigned attorney and the Examiner during the December 8th telephone conference. Accordingly, the Section 102 rejection of claim 15 over Glenn '419 should be withdrawn.

Claim 20 is allowable as depending from allowable base claim 15, and also because of the additional features of this dependent claim. Accordingly, the Section 102 rejection of claim 20 should be withdrawn.

C. Response to the Section 102(b) Rejection of Claims 1, 2, 4, 9, 10, 11, 13, 14, 26, 27, 29, 34-36, 38-41, 43, 46, 47, 49, 53, 55, and 57-59 (Glenn '588)

Claims 1, 2, 4, 9, 10, 11, 13, 14, 26, 27, 29, 34-36, 38-41, 43, 46, 47, 49, 53, 55, and 57-59 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Glenn '588. As discussed above, independent claims 1, 26, 40, 46, and 57 have been amended in conformance with the agreement reached between the undersigned attorney and the Examiner during the December 8th telephone conference. Accordingly, the Section 102 rejection of claims 1, 26, 40, 46, and 57 over Glenn '588 should be withdrawn.

Claims 2, 4, 9, 10, 11, 13, 14, 27, 29, 34-36, 38, 39, 41, 43, 47, 49, 53, 55, 58, and 59 are allowable as depending from one of the allowable base claims 1, 26, 40, 46, and 57, and also because of the additional features of these dependent claims. Accordingly, the Section 102 rejection of claims 2, 4, 9, 10, 11, 13, 14, 27, 29, 34-36, 38, 39, 41, 43, 47, 49, 53, 55, 58, and 59 should be withdrawn.

D. Response to the Section 102(b) Rejection of Claims 15 and 23 (Moess)

Claims 15 and 23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Moess. As discussed above, claim 15 has been amended in conformance with the agreement reached between the undersigned attorney and the Examiner during the December 8th telephone conference. Accordingly, the Section 102 rejection of claim 15 over Moess should be withdrawn.

Claim 23 is allowable as depending from allowable base claim 15, and also because of the additional features of this dependent claim. Accordingly, the Section 102 rejection of claim 23 should be withdrawn.

E. Response to the Section 102(b) Rejection of Claims 15 and 18 (Hoffman)

Claims 15 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hoffman. As discussed above, claim 15 has been amended in conformance with the agreement reached between the undersigned attorney and the Examiner during the December 8th telephone conference. Accordingly, the Section 102 rejection of claim 15 over Hoffman should be withdrawn.

Claim 18 is allowable as depending from allowable base claim 15, and also because of the additional features of this dependent claim. Accordingly, the Section 102 rejection of claim 18 should be withdrawn.

F. Response to the Section 103(a) Rejection of Claims 1, 3, 7, 8, 19, 26, 28, 32, 33, 48, 52, 54, and 56 (Glenn '419)

Claims 1, 3, 7, 8, 19, 26, 28, 32, 33, 48, 52, 54, and 56 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Glenn '419. During the December 8th telephone conference, the Examiner acknowledged that Glenn '419 cannot support a Section 103 rejection of these claims because it would not have been obvious to modify Glenn's image sensor assembly 100 such that optical element 107 and/or supplemental optical element 655 were formed from the same material as the image sensor die package 101 (i.e., a molded plastic material). In light of this agreement, the Section 103 rejection of claims 1, 3, 7, 8, 19, 26, 28, 32, 33, 48, 52, 54, and 56 over Glenn '419 should be withdrawn.

G. Response to the Section 103(a) Rejection of Claims 1, 5, 26, 30, 46, and 50 (Hoffman)

Claims 1, 5, 26, 30, 46, and 50 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hoffman. During the December 8th telephone conference, the Examiner acknowledged that Hoffman cannot support a Section 103 rejection of these claims because it would not have been obvious to modify Hoffman's device such that the lid 130 was formed of the same material as the sidewalls 106 of the substrate 102. In light of this agreement, the Section 103 rejection of claims 1, 5, 26, 30, 46, and 50 over Hoffman should be withdrawn.

H. Response to the Section 103(a) Rejection of Claims 15-17, 21, 22, 24, and 25 (Glenn '588)

Claims 15-17, 21, 22, 24, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Glenn '588. During the December 8th telephone conference, the Examiner acknowledged that Glenn '588 cannot support a Section 103 rejection of these claims because it would not have been obvious to modify Glenn's integrated circuit package 10 such that the transparent encapsulation material 29 over the image sensor 24 was formed of the same adhesive material as the beads 20 encapsulating the external electrical contacts (e.g., the metal trace 16, contact 17, bond wire 18, and bond pad 19). In light of this agreement, the Section 103 rejection of claims 15-17, 21, 22, 24, and 25 over Glenn '588 should be withdrawn.

I. Response to the Section 103(a) Rejection of Claims 1 and 12 (Moess)

Claims 1 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moess. During the December 8th telephone conference, the Examiner acknowledged that Moess cannot support a Section 103 rejection of these claims because it would not have been obvious to modify the optoelectronic receiver 10 of Moess such that the optical window 60 and retaining device 24 were formed of the same material. In light of this agreement, the Section 103 rejection of claims 1 and 12 over Moess should be withdrawn.

J. Response to the Section 103(a) Rejection of Claim 37 (Glenn '588 and Moess)

Claim 37 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Glenn '588 in view of Moess. Claim 37 depends from base claim 26. Glenn '588 and Moess, either alone or in combination, cannot support a rejection of claim 26. Accordingly, claim 37 is allowable over Glenn '588 and Moess for at least the reason that claim 26 is allowable over the applied references as explained above, and also because of the additional features of this dependent claim. Therefore, the Section 103 rejection of claim 37 should be withdrawn.

K. Response to the Section 103(a) Rejection of Claims 40, 42, 44, 45, and 60 (Glenn '419 and Glenn '588)

Claims 40, 42, 44, 45, and 60 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Glenn '419 in view of Glenn '588. As discussed previously, the Examiner acknowledged during the December 8th telephone conference that these references, either alone or in combination, cannot support a Section 103 rejection of these claims. In light of this agreement, the Section 103 rejection of claims 40, 42, 44, 45, and 60 should be withdrawn.

L. Response to the Section 103(a) Rejection of Claims 6, 31, and 51 (Glenn '419 and Kang)

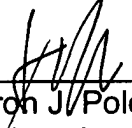
Claims 6, 31, and 51 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Glenn '419 in view of Kang. Claim 6 depends from base claim 1, claim 31 depends from base claim 26, and claim 51 depends from base claim 46. Kang fails to cure the above-noted deficiencies of Glenn '419 to support a rejection of claims 1, 26, and 46. Accordingly, dependent claims 6, 31, and 51 are allowable over Glenn '419 and Kang for at least the reasons explained above, and also because of the additional features of these dependent claims. Therefore, the Section 103 rejection of claims 6, 31, and 51 should be withdrawn.

Conclusion

In view of the foregoing, the pending claims comply with 35 U.S.C. § 112 and are patentable over the applied art. The applicant respectfully requests reconsideration of the application and a mailing of a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-3982.

Respectfully submitted,
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